



DOCKET NO.: M1059.70000US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant: Fred G. Benkley, III  
Serial No.: 10/005,643  
Confirmation No.: 8242  
Filed: December 5, 2001  
For: SWIPED APERTURE CAPACITIVE FINGERPRINT  
SENSING SYSTEMS AND METHODS

Examiner: Aaron W. Carter  
Art Unit: 2625

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 9<sup>th</sup> day of January, 2006.

  
Paula K. Fairweather

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**MAIL STOP AMENDMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office action, but before the mailing date of any final action under 37 C.F.R. §1.113, a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified PTO/SB/08). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 (modified PTO/SB/08) be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

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Notwithstanding any statements by the Applicant, the Examiner is urged to form his or her own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By: William R. McClellan  
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Docket No.: M1059.70000US00  
Date: January 9, 2006  
**xNDDx**



FORM PTO/A and B (modified PTO/SB/08)

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

APPLICATION NO.: 10/005,643

ATTY. DOCKET NO.: M1059.70000US00

FILING DATE: December 5, 2001

CONFIRMATION NO.: 8242

APPLICANT: Fred G. Benkley, III

GROUP ART UNIT: 2625

EXAMINER: Aaron W. Carter

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner's Initials #	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or Issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
		4,550,221		Mabusth	10/29/1985
		5,305,017		Gerpheide	04/19/1994
		5,420,936		Fitzpatrick et al.	05/30/1995
		5,852,670	A	Setlak et al.	12/22/1998
		6,400,836	B2	Senior	06/04/2002
		US-2005/0100196	A1	Scott et al.	05/12/2005

**FOREIGN PATENT DOCUMENTS**

Examiner's Initials #	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
		EP	1 139 301	A2	Matsushita Electric Industrial Co., Ltd.	10/04/2001	
		EP	1 531 419	A2	Fujitsu Ltd.	05/18/2005	
		GB	2 331 613	A	International Business Machines Corp.	05/26/1999	
		WO	90/03620	A1	Fingermatrix, Inc.	04/05/1990	
		WO	01/22349	A1	Fingerpin AG	03/29/2001	
		WO	01/94902	A	INDEX AS	12/13/2001	
		WO	02/47018	A2	Metro Engineering Associates, Inc.	06/13/2002	
		WO	02/077907	A1	Siemens Aktiengesellschaft	10/03/2002	

**OTHER ART — NON PATENT LITERATURE DOCUMENTS**

Examiner's Initials #	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
		Search Report Mailed September 8, 2005 for International Application No.: PCT/US2005/012792	
		Search Report Mailed December 12, 2005 for International Application No.: PCT/US2005/013943	
		DAVIDE MALTONI, "Handbook of Fingerprint Recognition", XP002355942 Springer, New York, USA, June 2003, (2003-06) pgs. 65-69	
		VERMESAN et al., "A 500-dpi AC Capacitive Hybrid Flip-Chip CMOS ASIC/Sensor Module for Fingerprint, Navigation, and Pointer Detection With On-Chip Data Processing", IEEE Journal of Solid State Circuits, Vol. 38, No. 12, December 2003, pgs. 2288-2294.	

EXAMINER:

DATE CONSIDERED:

# EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

\*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. \_\_, filed \_\_, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE – No copies of U.S. patents, published U.S. patent applications, or pending, unpublished patent applications stored in the USPTO's Image File Wrapper (IFW) system, are included. See 37 CFR §1.98 and 1287OG163. Copies of all other patent(s), publication(s), unpublished, pending U.S. patent applications, or other information listed are provided as required by 37 CFR §1.98 unless 1) such copies were provided in an IDS in an earlier application that complies with 37 CFR §1.98, and 2) the earlier application is relied upon for an earlier filing date under 35 U.S.C. §120.]

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